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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SERRAO, RANODHI N

ART UNIT PAPER NUMBER

2141

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/994,635

Applicant(s)

KARP ET AL.

Examiner

Ranodhi Serrao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6, 8-13, 19, 20, 22, 25 and 26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-18, 28 and 29 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 8-13, 19, 20, 22, 25 and 26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Allowable Subject Matter

1. Claims 14-18, 28 and 29 are allowed. The following is a statement of reasons for the indication of allowable subject matter: In interpreting the claims, in light of the specification and the applicant's amendments filed on 03 May 2006, the Examiner finds claims 14-18, 28 and 29 to be patentably distinct from the prior art of record.

2. **Ankireddipally et al. (6,772,216)**, teach a general purpose application interaction protocol, referred to herein as the Commerce Exchange Interaction Protocol (CXIP), governs the exchange of data between applications resident in computers in a distributed network such as the Internet, providing for application interoperability. CXIP enables process communications among network-distributed software applications, particularly, but not exclusively, among software applications having dissimilar platforms, language dependencies or vendor dependencies. Data structures, object and method invocation requests are exchanged between applications by means of XML documents based on CXIP semantics. The application interaction protocol, which is not specific to any particular functional domain and specifies interactions that are independent of transactional content, includes four component parts: message formats, message types, exchange semantics and transportation assumptions. CXIP-based interactions use TCP/IP as their underlying transport mechanism, although CXIP may be implemented using SMTP or FTP, or on top of any other standard application-layer protocol, including HTTP (**Ankireddipally, Abstract, Fig. 1 and corresponding text**).

3. **Meltzer et al. (2002/0165872)**, teach machine readable documents connect businesses with customers, suppliers and trading partners. The self defining electronic documents, such as XML based documents, can be easily understood amongst the partners. Definitions of these electronics business documents, called business interface definitions, are posted on the Internet, or otherwise communicated to members of the network. The business interface definitions tell potential trading partners the services the company offers and the documents to use when communicating with such services. Thus, a typical business interface definition allows a customer to place an order by submitting a purchase order or a supplier checks availability by downloading an inventory status report. Also, composition of the input and output documents, coupled with interpretation information in a common business library, programs the transaction in a way which closely parallels the way in which paper based businesses operate (**Meltzer, Abstract, Fig. 3 and corresponding text**).

4. However, the prior art of record fails to teach or suggest individually or in combination that a computer comprising: a conversation controller generated from a description file, wherein the computer is operable to access a remote registry storing a list of description files, each description file being customized for a particular service provided by a computer and describes a pattern of message exchanges expected to be followed and documents types expected to be used for communicating with the computer providing the service to utilize the service; identify the description file from the list of description files corresponding to a desired service, wherein a service provider providing the desired service published the description file for the desired service in the

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remote registry; and retrieve an identification of the description file, a location of the description file or the description file from the remote registry; and using the desired service by directly exchanging messages with the service provider providing the desired service, wherein the messages exchanged include the pattern of message exchanges expected to be followed and documents types expected to be used as described in the description file for the desired service, said

conversation controller being operable to perform a sequence of interactions described in said description file, said sequence of interactions includes at least one of receiving messages and transmitting messages; and said description file including a document type for each interaction, the document type specifying a document to be used in the interaction, wherein said conversation controller is operable to determine whether a document is an instance of a document type for an interaction of said interactions and is operable to execute the interaction in response to the document being the instance of the document type for the interaction as set forth in independent claim 14. Claims 14-18, 28 and 29 are allowed because of the combination of other limitations and the limitations listed above.

Response to Arguments

5. Applicant's arguments with respect to claims 19, 20, 22, 25, and 26 have been considered but are moot in view of the new ground(s) of rejection.

6. The applicant argued in substance the newly added limitations of claim 19.

However, the new grounds teach these and the added features. See rejections below.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claim 1 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim recites, "A computer readable medium on which is embedded a computer program, the computer program comprising:" And paragraph 57 of the specification states, "...of the above can be embodied on a computer readable medium, which include storage devices and signals, in compressed or uncompressed form."

When nonfunctional descriptive material is recorded on some computer-readable medium, in a computer or on an electromagnetic carrier signal, it is not statutory since no requisite functionality is present to satisfy the practical application requirement.

The claimed invention as a whole must be useful and accomplish a practical application. That is, it must produce a "useful, concrete and tangible result." State Street, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02. The purpose of this requirement is to limit patent protection to inventions that possess a certain level of "real world" value, as opposed to subject matter that represents nothing more than an idea or concept, or is simply a starting point for future investigation or research (Brenner v. Manson, 383 U.S. 519, 528-36, 148 USPQ 689, 693-96 (1966)); In re Fisher, 421 F.3d 1365, 76 USPQ2d 1225 (Fed. Cir. 2005); In re Ziegler, 992 F.2d 1197, 1200-03, 26 USPQ2d 1600, 1603-06 (Fed. Cir. 1993)).

9. To overcome the 101 issue, the examiner recommends the claim to read as, "A computer readable storage medium on which is embedded a computer program, the computer program comprising:" Claims 2-4, 6, and 8-13 are rejected because of their dependency.

Claim Rejections - 35 USC § 112

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

12. The applicant has amended the claim to recite, "...that retrieved the destination from the remote registry and is using the retrieved description file to use the web service,

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provided by said computer..." However, "said computer" in this recitation fails to particularly point out which computer the applicant refers to. In the claim there are multiple recitations of "computer" such as "a computer", "the computer", "said computer", "another computer." It is unclear as to which computer "said computer" refers to. Appropriate correction is required.

Claim Rejections - 35 USC § 103

13. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

14. Claims 19, 20, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ankireddipally et al. (6,772,216) and Devarakonda et al. (6,757,729).

15. As per claim 19, Ankireddipally et al. teaches a computer comprising; a web service (see Ankireddipally et al., col. 11, lines 24-40), wherein said computer is connected to a remote registry storing a plurality of description files, each description file being customized for a particular service provided by a computer and describes a pattern of message exchanges expected to be followed and documents types expected to be used for communicating with the computer providing the service to utilize the service, said computer comprising the web service configured to access the remote registry; and publish a description file in the remote registry, wherein the description file describes a pattern of message exchanges expected to be followed and documents types expected to be used for communicating with the computer to utilize the web service (see Ankireddipally et al., col. 11, line 56-col.12, line 21: wherein data store

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serves the function of a registry); and is using the retrieved description file to use the web service provided by said computer by performing a plurality of interactions described in the description file (see Ankireddipally et al., col. 11, lines 24-40), said plurality of interactions describing messages at least one of a message type to be received (see Ankireddipally et al., col. 13, line 61-col. 14, line 12) and a message type to be transmitted to said another computer to facilitate said web service (see Ankireddipally et al., col. 15, lines 39-57), wherein the message type to be received or the message type to be transmitted includes attributes describing data in a message that corresponds to the message type (see Ankireddipally et al., col. 15, line 58-col. 16, line 9). But fails to teach said computer comprising the web service configured to communicate directly with another computer that retrieved the description from the remote registry. However, Devarakonda et al. teaches said computer comprising the web service configured to communicate directly with another computer that retrieved the description from the remote registry (see Devarakonda et al., col. 4, lines 26-59). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Ankireddipally et al. to said computer comprising the web service configured to communicate directly with another computer that retrieved the description from the remote registry in order to allow applications to be developed completely independently of the architecture and environment of a client computer and the servers it connects to (see Devarakonda et al., col. 1, lines 45-54).

16. As per claim 20, Ankireddipally et al. and Devarakonda et al. teach a computer readable medium on which is embedded a computer program, the computer program

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comprising: a plurality of interactions describing a plurality of messages to be received and/or transmitted (see Ankireddipally et al., abstract and col. 6 lines 49-67), and at least one transition identifying the order of executing said plurality of interactions (see Ankireddipally et al., abstract and col. 7 lines 1-10).

17. As per claim 26, Ankireddipally et al. and Devarakonda et al. teach a computer, wherein said message type to be received or transmitted comprises of an XML document (see Ankireddipally et al., col. 20, lines 28-41).

18. Claims 22, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ankireddipally et al. and Devarakonda et al. as applied to claims 19-20 above, and further in view of Andrew Layman ("XML Schema NG Guide", Microsoft, May 1999), hereinafter referred to as Layman. Ankireddipally teaches the computer as claimed, and suggested a internal and external registries to store XML schema but fails to explicitly state that said computer communicating with the computer comprising the web service based on the plurality of interactions described in the description file is connected to a registry storing a plurality of description files associated with a plurality of web services so that another computer can retrieve the description files containing at least one transitions and identified by a URN. However, Layman, in an analogous art, explicitly teaches a central registry identified by a URN storing a plurality of description files (XML schemas stored in an external location) so that other web service users can use them (page 3 of 23, under "Types and Elements"). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ankireddipally's and

Devarakonda et al. computer program with Layman's central registry for storing XML schemas, for the advantages of adding capabilities and flexibilities in XML (page 1 of 23; Introduction).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ranodhi Serrao whose telephone number is (571)272-7967. The examiner can normally be reached on 8:00-4:30pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



RUPAL DHARIA
SUPERVISORY PATENT EXAMINER